Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

- 1-4. (Cancelled).
- 5. (Currently amended): A device for sampling body fluid, comprising:
 - a) a main body defining a capillary channel;
 - b) a lancet disposed within said capillary channel and defining an annular space between said lancet and said main body;
 - c) wherein said lancet is selectively advancable and retractable; wherein said capillary channel is dimensioned to draw a body fluid into said annular space through capillary action;

comprising at least one testing element in communication with said annular space;

wherein said testing element is a test strip; and wherein said test strip is radially mounted around said lancet.

- 6-12. (Cancelled).
- 13. (Currently amended): A device for sampling body fluid, comprising:
 - a) a main body defining a capillary channel;
 - b) a lancet disposed within said capillary channel and defining an annular space between said lancet and said main body;
 - c) wherein said lancet is selectively advancable and retractable; wherein said capillary channel is dimensioned to draw a body fluid into said annular space through capillary action;

Response to Office Action Serial No. 10/054,270 Group Art Unit 3731 Attorney Docket No. 7404-318 Page 2 of 11 further comprising at least one testing element in communication with said annular space;

further comprising biasing means to selectively retract said lancet; wherein said biasing means is a spring operable to provide relative movement between said lancet and said main body; and

wherein said spring is mounted within said capillary channel between a bearing surface on said main body and a bearing surface on said lancet.

- 14. (Original): The device of claim 13 wherein said spring comprises a biocompatible material.
- 15-21. (Cancelled).
- 22. (Previously amended): A system for sampling and testing a body fluid, comprising:
 - a) a main body defining a capillary channel;
 - b) a lancet disposed within said capillary channel and defining an annular space between said lancet and said main body;
 - c) wherein said lancet is selectively advancable and retractable;
 - d) wherein said capillary channel is dimensioned to draw a body fluid into said annular space through capillary action; and,
 - e) a testing means for testing the body fluid drawn into said annular space.
- 23. (Original): The system of claim 22 wherein said testing means comprises at least one test element in communication with said annular space.
- 24. (Withdrawn): The system of claim 22 wherein said testing means comprises analysis equipment operable to test the body fluid in said annular space.

Response to Office Action Serial No. 10/054,270 Group Art Unit 3731 Attorney Docket No. 7404-318 Page 3 of 11 25. (Currently Amended, Withdrawn): The system of claim-25_24 wherein said

testing means further comprises electrochemical sensors mounted within said annular

space and in communication with said analysis equipment.

26. (Withdrawn): The system of claim 24 wherein said main body is placed in said

analysis equipment after a body fluid sample is collected.

27. (Withdrawn): The system of claim 26 wherein said testing device tests the

body fluid using optical transmittance, reflectance or flourescence.

28. (Withdrawn): The system of claim 26 wherein said testing device tests the

body fluid using electrochemical sensors situated to communicate with said annular

space.

29-31. (Cancelled).

32. (Previously amended): A method of obtaining a fluid sample from the body of

a person, comprising the steps of:

a) placing an apparatus having a defined capillary channel and a lancet

disposed in said capillary channel that together define a capillary space

adjacent tissue at a desired sample location;

b) advancing the lancet disposed within said capillary channel so that

said lancet incises tissue at an incision point in the desired sample location;

c) retracting said lancet into said capillary channel; and,

d) acquiring body fluid expressed from the body at the incision point

into said capillary space through capillary action.

Response to Office Action Serial No. 10/054,270 Group Art Unit 3731 33. (Original): The method of claim 32 further comprising the step of testing the

acquired body fluid while the fluid is contained in said capillary channel.

34. (Withdrawn): The method of claim 32 further comprising the step of

transferring the fluid from said capillary channel to a testing element and thereafter

testing the fluid.

35. (Original): The method of claim 32 further comprising the step of testing the

acquired body fluid with testing means communicating with said capillary channel.

36. (Original): The method of claim 33 further comprising the step of testing the

acquired body fluid for a blood glucose level.

37-43. (Cancelled).

44. (Previously added): A body fluid sampling device, comprising:

a body;

a lancet slidably received in the body to lance an incision in skin, wherein the

lancet and the body define a capillary space that is sized to draw the body fluid via

capillary action; and

a test means disposed in the capillary space to test the body fluid drawn by the

capillary space.

45. (New): The system of claim 22, further comprising a holder holding

said testing means in said annular space.

46. (New): The system of claim 45, wherein said holder includes an

opening defined in said main body.

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- 47. (New): The system of claim 22, further comprising a retraction mechanism configured to retract said lancet.
- 48. (New): The system of claim 47, wherein said retraction mechanism includes a spring disposed in said annular space.
- 49. (New): The system of claim 22, wherein said annular space is between 10 and 500 μ m.
- 50. (New): The system of claim 22, wherein said annular space is between 20 and 200 μ m to optimize fill time.
 - 51. (New): The system of claim 22, wherein said lancet is hydrophilic.
- 52. (New): The system of claim 51, wherein said lancet is coated with a hydrophilic material.
 - 53. (New): The system of claim 22, wherein: said main body has an interior surface defining said capillary channel; and said interior surface is hydrophilic.
- 54. (New): The method of claim 33, wherein said testing the acquired body fluid includes optically testing the acquired body fluid.
- 55. (New): The device of claim 44, wherein the test means includes a test strip.
- 56. (New): The device of claim 44, further comprising a holder holding the test means in the capillary space.

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(New): The device of claim 56, wherein the holder includes an opening 57. defined in the body.

(New): The device of claim 44, further comprising a retraction 58.

mechanism configured to retract the lancet.

(New): The device of claim 58, wherein the retraction mechanism 59.

includes a spring surrounding the lancet.

(New): The device of claim 44, wherein the capillary space is sized 60.

between 10 and 500 μ m.

61. (New): The device of claim 44, wherein the capillary space is sized

between 20 and 200 μ m.

(New): The device of claim 44, wherein the lancet is hydrophilic. 62.

(New): The device of claim 62, wherein the lancet is coated with a 63.

hydrophilic material.

(New): The device of claim 44, wherein the body is hydrophilic. 64.

(New): The device of claim 64, wherein the body is coated with a 65.

hydrophilic material around the capillary space.

66. (New): The device of claim 44, wherein the body has a generally

cylindrical shape.

Response to Office Action Serial No. 10/054,270 Group Art Unit 3731 Attorney Docket No. 7404-318 67. (New): The device of claim 44, wherein the lancet has a generally

cylindrical shape.

68. (New): The device of claim 44, wherein the body is made of a bio-

compatible plastic.

69. (New): The device of claim 44, wherein the test means is optically

reactive.

70. (New): The device of claim 44, wherein at least a portion of the body

adjacent the test means is transparent.

71. (New): The device of claim 44, wherein the body is transparent.

72. (New): The device of claim 44, wherein the lancet is adapted to

advance from the body a distance between approximately 0.05 mm and 3 mm.

73. (New, Withdrawn): The device of claim 44, further comprising a

sealing member enclosing an end of the capillary space.

74. (New, Withdrawn): The device of claim 73, wherein the sealing

member includes a safety cap covering the lancet.

75. (New, Withdrawn): The device of claim 44, the test means includes a

membrane.

76. (New, Withdrawn): The device of claim 44, wherein the test means

includes two or more testing elements.

Response to Office Action Serial No. 10/054,270 Group Art Unit 3731 77. (New, Withdrawn): The device of claim 44, wherein the test means includes one or more electrochemical sensors disposed within the capillary space.